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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Ernest G. Therkom, Art Unit 1723	Client:	1372.204.PRCWOUS
Fax:	(571) 273-8300	Pages:	4 including coversheet
Phone:	(571)-272-1149	Date:	January 11, 2006
Re:	USSN: 10/716, 310	CC:	University of South Florida (Assignee)

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Therkom:

In response to the non-final office action mailed December 12, 2005, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 11, 2006 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Thomas E. Toner  
Reg. No. 67, 422

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JAN 11 2006

Practitioner's Docket No. 1372.204.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Abdul Malik )

Serial No.: 10/716,310 )

Filed: 11/18/2003 )

For: Sol-Gel Dendron Separation and  
Extraction Capillary Column )

Art Unit: 1723

Examiner: Ernest G. Therkorn

Confirmation: 7300

Faxed to Central Fax at (571) 273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

**STATUS**

2. Applicant is an independent inventor.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

  
SIGNATURE OF PRACTITIONER

Thomas E. Toner

Smith &amp; Hopen, P.A.

15950 Bay Vista Drive, Ste. 220

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Reg. No.: 57,422

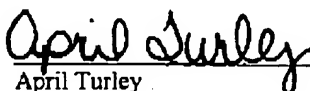
Customer No.: 21,901

**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1723, Attn: Ernest G. Therkorn, (571) 273-8300 on January 11, 2006.

Dated: January 11, 2006

  
April Turley

(Restriction Requirement – Transmittal)

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JAN 11 2006

Practitioner's Docket No.: 1372.204.PRWOUS

## PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Abdul Malik**

Serial No.: 10/716,310

**Filed: 11/18/2003**

**For: Sol-Gel Dendron Separation and Extraction  
Capillary Column**

Art Unit: 1723  
Examiner: Ernest G. Therkorn  
Confirmation: 7300

Faxed to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

Applicant responds to the nonfinal Examiner's action mailed December 12, 2005, having a shortened statutory period for response set to expire January 12, 2006 as follows:

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Applicant elects to prosecute Group I claims 1/10, 18-25 and 28-29, drawn to a capillary column.  
This election is made without traverse.


## REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,  
SMITH & HOPEN

**Dated: January 11, 2006**

pc: University of South Florida (Assignee)

By:   
Thomas E. Toner  
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15950 Bay Vista Drive  
Clearwater, FL 33760  
(727) 507-8558  
Attorneys for Applicant

(Restriction Requirement Reply - Page 1 of 2)